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2
3 TRANSCRIPT OF POST-ARREST STATEMENT
4
5

6 DATE: November 14, 2018
7
8
9

10 PARTICIPANTS: LUCIO CELLI; DEPUTY UNITED STATES MARSHAL
11 RAPALO; DEPUTY UNITED STATES MARSHAL MATT?
12
13

14 [U/I] - UNINTELLIGIBLE
15

16 [I/A]- INAUDIBLE
17

18 [PH] - PHONETIC
19
20
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45

1 CELLI: Didn't I see--did you come to me at the
2 end of March?
3
4 RAPALO: Yes, hi, how are you?
5
6 DUSM: First of all, I want you to understand,
7 I'm Deputy Matt with the U.S. Marshal
8 Service. This is my partner.
9
10 RAPALO: And I'm Deputy Elba Rapalo.
11
12 CELLI: Okay.
13
14 DUSM: And we're with the U.S. Marshal Service.
15 I understand that when you were arrested
16 you stated to the deputy that you wanted
17 to talk?
18
19 CELLI: I didn't say-I didn't say that, but I'll
20 talk, it's not a problem.
21
22 DUSM: Well, okay, well, before we can talk to
23 you we gotta read you your rights because
24 that's part of the rules, so, um.
25
26 RAPALO: So I'll start off. So that you know, my
27 name is Elba Rapalo, U.S. Deputy Marshal,
28 U.S. Marshal Service. I'm here conducting
29 an investigation concerning a violation
30 of federal criminal law. I want to advise
31 you, Mr. Lucio-is it Celli or Celli?
32
33 CELLI: Either way, it's Celli, but it's fine.
34
35 RAPALO Oh okay. That you have all the rights and
36 privilege guaranteed by the Constitution
37 and the laws of the United States. You
38 have the right to remain silent. Anything
39 you say can and will be used against you
40 in a criminal proceeding. You have the
41 right to talk to a lawyer for advice
42 before we ask you any questions and to
43 have him or her with you during
44 questioning. If you cannot afford a
45 lawyer, one will be appointed for you, if
46 you wish, before any questioning begins.
47 If you decide to answer questions now

1 without a lawyer present you will still
2 have the right to stop answering at any
3 time. You also have the right to stop
4 answering at any time up until you talk
5 to a lawyer. I have read the statement of
6 my rights and I understand what my rights
7 are.
8
9 DUSM: Look it over.
10
11 CELLI: I-I'm sure.
12
13 RAPALO: You want to look it over?
14
15 CELLI: I've been reading all this since the U.S.
16 Marshals came to me in March.
17
18 DUSM: Okay.
19
20 *[Defendant signs advice of rights form]*
21
22 DUSM: For all purposes we're recording this.
23 Just so everything is, uh-
24
25 CELLI: So that-so that it can be seen later. I
26 understand.
27
28 DUSM: Absolutely. To make sure everything, to
29 make sure all your rights are being well
30 taken care of.
31
32 RAPALO: I have read the above statement of my
33 rights and I understand what my rights
34 are and I am willing to make a statement
35 and answer questions. Your signature is
36 required and the date, which is-
37
38 CELLI: The 14th.
39
40 RAPALO: November 14th. Do you have the time?
41
42 CELLI: Probably 8, 9, whatever it is.
43
44 *[Defendant and Marshals sign the form]*
45
46 RAPALO: So -
47

1 CELLI: So you came there after Marty was there
2 speaking to me for a few minutes, right?
3 On March 16th, I believe? You said you met
4 me-
5
6 RAPALO: Okay, right, with Marty.
7
8 CELLI: Yes.
9
10 RAPALO: Okay.
11
12 CELLI: So you came after him, because we were
13 waiting for you in the parking lot of
14 McDonald's, yes?
15
16 RAPALO: I'll do the questioning because you're
17 going off track. This is in reference to-
18
19 CELLI: To my emails.
20
21 RAPALO: To your emails. What is your email?
22
23 CELLI: There are many.
24
25 RAPALO: Okay, so which is the last email you
26 used-
27
28 CELLI: Today?
29
30 RAPALO: Oh, you used that email today?
31
32 CELLI: Well I don't know which one you're
33 talking about now.
34
35 DUSM: Well, let's start with this. What is your
36 email address?
37
38 RAPALO: You have a few you said.
39
40 CELLI: Yeah, I have a few that I have emailed
41 many people, yes.
42
43 RAPALO: Okay, so ones that you are using to email
44 the judges.
45
46 CELLI: A few, still.
47

1 RAPALO: Okay, okay so let's start with that. So
2 which emails, what is your email?
3
4 CELLI: My main one is Enzo0mad@aol.com.
5
6 RAPALO: Okay.
7
8 CELLI: And then there is Gil-
9
10 DUSM: How is that spelled?
11
12 CELLI: Enzo, E-N-Z-O zero M-A-D at AOL.com.
13
14 RAPALO: Okay. What other emails do you use?
15
16 CELLI: Oh god, it's either GilbCelli of
17 CelliGilb, I'm not really sure, at
18 Gmail.com.
19
20 RAPALO: Okay, how do you spell that?
21
22 CELLI: Well, it's, it's actually supposed to be,
23 I, um, I think it's, I misspelled it.
24 It's supposed to be my old school. It
25 should be G-I-L, but I wrote it as G-L-
26 I-B-B.
27
28 RAPALO: At what?
29
30 CELLI: At Gmail.com. So it's either CelliGelbb
31 or Gelb, or GlebbCelli or CelliGlebb at
32 Gmail.com.
33
34 RAPALO: Does anyone else have access to your
35 email accounts?
36
37 CELLI: No.
38
39 RAPALO: So you're the only one who has access to
40 your email accounts.
41
42 CELLI: Yes.
43
44 RAPALO: So you're the only one that knows the
45 passwords to your account.
46
47 CELLI: For the most part, yes.

1
2 RAPALO: So what's, what's your name, your full
3 name?
4
5 CELLI: Lucio Celli.
6
7 RAPALO: Your date of birth?
8
9 CELLI: January 24, 1976.
10
11 RAPALO: So, do you know why you're here?
12
13 CELLI: Yes. I'm assuming so, yes.
14
15 DUSM: What's your assumption?
16
17 CELLI: Um, I was threatened by the U.S. Marshals
18 - well, prior to you getting there - and
19 I feel that the threat came to fruition
20 and I became angry and wrote what I
21 wrote.
22
23 RAPALO: What did you write?
24
25 CELLI: I wrote that if I stabbed you in the neck,
26 let's see if that's still frivolous. Is
27 that what you, I think that's why I am
28 here, but, okay, because I was raped and
29 I know what it's like to have my safety
30 taken away from. And someone threatened
31 me and then carried out on that threat
32 and then call it frivolous that the U.S.
33 Marshal came to threaten me. And the New
34 York mental health came to threaten me,
35 then that's my defense, that's what I
36 told them my defense is going to be.
37 Because I think it's wrong, I know it's
38 wrong. I'm not saying what I did and what
39 I wrote is right. Because I know for me,
40 it's wrong. Because I've never been the
41 same since I've been raped. That-[U/I] he
42 raped, he threatened me at my DUI case.
43 And then at my DUI case, my lawyer told
44 me that I should take the plea even
45 though I tested negative for cocaine. And
46 that I would be arrested and I would be
47 convicted for having rape flashbacks.

1 They fixed my case, I'm not accepting
2 that.
3
4 DUSM: First, let me just say, I'm sorry to hear
5 that you were raped. I'm sorry to hear
6 that. No, I want you to know that, first
7 and foremost. I want you to understand
8 that, okay? Just take a breath. If you
9 want to take a minute, take a minute. I
10 don't want to stir up no bad feelings
11 with you.
12
13 CELLI: No, this is my problem. It's tough. I
14 should never have reacted, even though it
15 was 10 years ago. That's my problem.
16
17 DUSM: Do you need a minute?
18
19 CELLI: No.
20
21 DUSM: Okay.
22
23 RAPALO: So, back to the email. What exactly do
24 you recall that you wrote on the email?
25
26 CELLI: I wrote, I kept on repeating frivolous
27 because she told me that and I wrote stab
28 in the neck then we'll see if it's still
29 frivolous. Because I don't think that
30 having the U.S. Marshals come and
31 threaten me and the New York City mental
32 health come and threaten me-it's
33 frivolous. To drop my judicial misconduct
34 complaint.
35
36 RAPALO: And when you say "she" who are you
37 referring to?
38
39 CELLI: Um, Judge Brodie.
40
41 RAPALO: Okay. So the emails were to Judge Brodie?
42
43 CELLI: No, no. They were to everybody.
44
45 RAPALO: To everyone, but-
46

1 CELLI: No, no. Some I listed as Judge Brodie,
2 some I listed as Katzmann, some I listed
3 as Cogan, some I listed as my lawyer.
4 Some I listed as, it was whoever I was
5 addressing it to.
6

7 RAPALO: Okay. And you were aware that Judge Margo
8 Brodie and Judge Brian Cogan are federal
9 judges?
10

11 CELLI: Yes.
12

13 DUSM: So what do you, I understand you're upset
14 and, um, when you stated in your email
15 about stabbing them?
16

17 CELLI: I don't mean to actually do it because
18 I'm not a violent person. I want justice.
19 Like, I don't think I should have had to-
20 I've emailed many times without
21 threatening and I think, I submitted the
22 right way the judicial complaint and then
23 the New York City mental health came to
24 me. All I know is that the New York City
25 cops I told them that a white man hit me
26 and they brought me all African American
27 and I don't find that, even as a joke.
28 That's not a joke to me.
29

30 RAPALO: So you were aware that the emails you
31 sent out were threatening?
32

33 CELLI: Cause I feel threatened as well. Cause I
34 don't know how to get justice anymore.
35 Because if it's okay to threaten me it's
36 okay to be threatened back. Because
37 they're not above the law. That's how I
38 feel.
39

40 RAPALO: And when you say "them"?
41

42 CELLI: The federal judges. They sent you. They
43 sent the U.S. Marshal and they sent the
44 New York City mental health.
45

1 RAPALO: I just want to verify this email. Do you
2 mind reading it? Is this your email, the
3 email that you sent out?

4 *[Defendant reads email]*

5
6 CELLI: Yes. I sent that. I wrote that. Yes, I
7 did.

8
9 RAPALO: So you wrote-

10
11 CELLI: Either deal with the U.S. Marshals that
12 threaten me because I feel, like I just
13 told you, that my case has been fixed.
14 They-all I know, I know exactly, Brodie
15 or Cogan said, and I was told by Marty,
16 I don't know if you were there at that
17 moment, but that's what I was when, that
18 night. So now that's the information that
19 I have.

20
21 RAPALO: Do you mind reading it? Or do you want me
22 to read it?

23
24 CELLI: Yes, I'll read it I have no problem
25 reading it.

26
27 RAPALO: Just to make sure this is-

28
29 CELLI: I said it. Cause I also said I sent, I
30 wrote, I sent 4,000 emails and I have an
31 auto-response from Stuart, another
32 friend of a circuit judge, and Bloom.
33 Because it's impossible that someone is-
34 two agencies came to threaten me, and no
35 one, no one in months has addressed my
36 issue, so.

37
38 RAPALO: Just read this subject-

39
40 CELLI: That's what I wrote. Because I didn't
41 think that, so this is why I wrote it
42 only on the subject line. Because I don't
43 want anybody to have plausible
44 deniability. Because they were saying
45 because-

46
47 RAPALO: Okay. Here-

1
2 CELLI: Yes. *[Reading email]*. You deal with the
3 US Marshal's threat from Judge Brodie and
4 Judge Cogan or I'll hunt them down and
5 kill them, kill them because they want to
6 act like the mafia.
7
8 RAPALO: And then you have another one. That was
9 actually on the same date.
10
11 CELLI: There's many on the same date, probably.
12 *[Reading email]*. Brodie and Cogan you
13 motherfuckers sent the US Marshal and
14 they threatened me in my DUI case.
15 Further on the point, I spent all night
16 reading but I can't file in court like a
17 normal person. *[Celli stops reading]*.
18 Because I don't feel that way because
19 there are documents missing from the
20 court. Which I emailed Doctor Katzmann,
21 um, sorry not, um, Judge Katzmann. I have
22 the-excuse me, I don't want to come off
23 as threatening I apologize.
24
25 RAPALO: That's okay.
26
27 CELLI: No, because I know, I-I apologize.
28
29 DUSM: That's alright. You're a person that
30 talks with his hands. I know what you
31 mean. You're fine. You're fine, you're
32 fine.
33
34 CELLI: Because I don't feel like, because there
35 are documents missing from the Court. I'm
36 telling them, they're missing. I have a
37 stamp for it. Like no one is-the first
38 time I wrote I'm going to stab you I was
39 truly angry at my lawyer because she told
40 me I would be convicted of DUI drugs even
41 though I tested negative. Because I was
42 having flashbacks. Like and then I read
43 that the first element of the case is
44 "did you take a fucking drug?" Not if I
45 was a, uh-
46
47 RAPALO: Okay.

1
2 DUSM: Now, let's take a bit.
3
4 CELLI: Sorry.
5
6 DUSM: It's all right. You're very passionate
7 about it, I get it. But we can to that.
8
9 CELLI: The first time, like, something came over
10 me and I wrote it. After that I knew what
11 I was doing. Because I've had enough.
12 I've had enough, I don't care. I prefer
13 this.
14
15 RAPALO: I think you stopped reading here, so.
16
17 CELLI: Oh, sorry.
18
19 RAPALO: Just want to make sure.
20
21 CELLI: *[Reading emails]*. I spent all night reading
22 but I can't file in court like a normal
23 person. I have to stab you to get justice.
24 *[Celli stops reading]*. Is that from the
25 fourth?
26
27 RAPALO: This? The twelfth. So that's recent.
28
29 CELLI: Oh. Recent.
30
31 RAPALO: So, is there anything else you want to
32 tell us, or?
33
34 CELLI: No, the people who have, um, I have Peter
35 Zucker who told me that what the judge
36 would do, he met with Cogan, I had, um,
37 I had them, you know, file all these
38 things that do not exist and Peter Zucker
39 told me that they would ignore it. Like,
40 she said that I defamed her, blah, blah,
41 blah, and then she puts on the docket-
42 she puts on the docket that I hired her.
43 But yet, no money, just that. Oh, sorry.
44
45 RAPALO: Do you have anything to add?
46
47 DUSM: No, I mean, I guess, like we said, the
48 email address is your email address.

1
2 CELLI: Yeah, I'm not denying it.

3
4 DUSM: You also did write the email. You
5 understood that it was a threat.

6
7 CELLI: The ones after, yes. I don't know if I,
8 at the present time if I was angry or
9 not.

10
11 DUSM: No, I mean, but, and you also understood
12 that they were all federal judges.

13
14 CELLI: Well, having, having the U.S. and New
15 York City mental health come and threaten
16 me? The judicial act of 1980 states a
17 federal judge cannot retaliate because
18 you filed a complaint. So now you tell me
19 who is in the wrong. So if they can get
20 away with threatening me, why shouldn't
21 I? I'm just, it's not for you to answer.

22
23 DUSM: No, I'm good.

24
25 CELLI: I mean it's just logic thought.

26
27 DUSM: I gotcha. So anything else you want to
28 express to us before we wrap up this?

29
30 CELLI: No, I mean if you have any other
31 questions I'm pleased you give you for,
32 um. Like, I've been, for two years I've
33 been, my HIV status was placed on-I was
34 told that I should drop my federal suit.
35 In front of her, which I have already
36 recorded. Which is a crime. And I told
37 Judge Cogan told me it was delusional. No
38 mother fucker. I have an order in court.
39 And you spent 20 years as-of counsel for
40 the UFT, therefore you should, you needed
41 to recuse yourself. You committed a crime
42 against me. Then you took my right for my
43 own pleadings. Then my vaccine, my HIV
44 status was placed on a blog. Then I was
45 threatened by Peter Zucker. I've been
46 harassed for the past two years. So I
47 figured that I'll have a trial, get

1 everybody there and figure out who's
2 right, who's wrong. Because I have
3 everything recorded plain and simple.
4
5 DUSM: Well we're gonna conclude this interview.
6
7 RAPALO: Thank you for your time.
8
9 DUSM: Yeah, I appreciate you talking the time
10 to talks with us. I'm going to turn this
11 off.
12
13
14 * * *
15